

HOUSE JOURNAL
ALASKA STATE LEGISLATURE
TWENTY-FIFTH LEGISLATURE – SECOND SESSION

Juneau, Alaska

Thursday

February 21, 2008

Thirty-eighth Day

Pursuant to adjournment the House was called to order by Speaker Harris at 10:14 a.m.

Roll call showed 36 members present. Representatives Edgmon and Foster had been excused from a call of the House today. Representatives Doogan and Gara were absent and their presence was noted later.

The invocation was offered by the Chaplain, the Reverend Jesse Perry of Northern Light United Church. Representative Gatto moved and asked unanimous consent that the invocation be spread on the journal. There being no objection, it was so ordered.

With trust in a power greater than ourselves, let us pray.

God of humble wisdom, hear our prayer for renewal and our desire to face Alaska's challenges with selfless courage and compassionate action. Grant us eyes to see through fogs of rhetoric, ears to hear the weakest of voices, and patience to weave our insights together.

Give us the vision of prophets, of those who find hope in dark and doubtful times. Make us to see a future where the lost are found, the hungry are filled, and all share in a harvest of fairness and peace. Point out for us the way that leaves no one behind.

Most of all give us the precious gift of learning, skilled students with open minds ready to receive the new light of each day; ready to change our minds and moods and plans; ready to greet the future you offer us with joy. Amen.

The Pledge of Allegiance was led by Representative Hawker.

CERTIFICATION OF THE JOURNAL

Representative Samuels moved and asked unanimous consent that the journal for the 37th legislative day be approved as certified by the Chief Clerk. There being no objection, it was so ordered.

MESSAGES FROM THE SENATE

HB 121

A message dated February 20, 2008, was read stating the Senate passed CSHB 121(L&C) am with the following amendment and it is transmitted for consideration:

SENATE CS FOR CS FOR HOUSE BILL NO. 121(FIN)

"An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

CSHB 121(L&C) am is under Unfinished Business.

A message dated February 20, 2008, was read stating the Senate passed the following and it is transmitted for consideration:

FIRST READING AND REFERENCE OF SENATE BILLS

SB 255

SENATE BILL NO. 255 by Senator Elton, entitled:

"An Act relating to refunding of certain outstanding bonds issued by the Alaska Industrial Development and Export Authority concerning the Snettisham hydroelectric project and related assets; and providing for an effective date."

was read the first time and referred to the Labor & Commerce and Finance Committees.

REPORTS OF STANDING COMMITTEES

HJR 2

The Finance Committee considered:

HOUSE JOINT RESOLUTION NO. 2

Proposing an amendment to the Constitution of the State of Alaska requiring an affirmative vote of the people before any form of gambling for profit may be authorized in Alaska.

and recommends it be replaced with:

CS FOR HOUSE JOINT RESOLUTION NO. 2(FIN)

Proposing an amendment to the Constitution of the State of Alaska requiring an affirmative vote of the people before any form of gambling for profit may be authorized in Alaska and setting other requirements.

The report was signed by Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (2): Kelly, Crawford

Do not pass (1): Thomas

No recommendation (6): Hawker, Joule, Nelson, Stoltze, Meyer, Chenault

The following fiscal note(s) apply to CSHJR 2(FIN):

3. Fiscal, Office of the Governor

HJR 2 was referred to the Rules Committee for placement on the calendar.

HJR 32

The Labor & Commerce Committee considered:

HOUSE JOINT RESOLUTION NO. 32

Supporting open and free competition within the broadcasting industry.

The report was signed by Representative Olson, Chair, with the following individual recommendations:

Do pass (3): Neuman, Ramras, Gatto

Do not pass (1): Buch

No recommendation (3): Gardner, LeDoux, Olson

The following fiscal note(s) apply:

1. Zero, House Labor & Commerce Committee

HJR 32 was referred to the Rules Committee for placement on the calendar.

HB 65

The Finance Committee considered:

HOUSE BILL NO. 65

"An Act relating to breaches of security involving personal information, credit report and credit score security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, care of records, disposal of records, identity theft, furnishing consumer credit header information, credit cards, and debit cards, and to the jurisdiction of the office of administrative hearings; amending Rule 60, Alaska Rules of Civil Procedure; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 65(FIN)

"An Act relating to breaches of security involving personal information, credit report and credit score security freezes, protection of social security numbers, care of records, disposal of records, identity theft, credit cards, and debit cards, and to the

jurisdiction of the office of administrative hearings; amending Rules 60 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

The report was signed by Representatives Meyer and Chenault, Co-chairs, with the following individual recommendations:

Do pass (4): Hawker, Crawford, Gara, Nelson

No recommendation (5): Kelly, Thomas, Stoltze, Meyer, Chenault

The following fiscal note(s) apply to CSHB 65(FIN):

3. Indeterminate, Office of the Governor/All Depts.
4. Fiscal, Dept. of Administration

HB 65 was referred to the Rules Committee for placement on the calendar.

HB 256

The Judiciary Committee considered:

HOUSE BILL NO. 256

"An Act relating to active game management and to the airborne or same day airborne taking of certain game animals; making conforming amendments; and providing for an effective date."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 256(JUD)
(same title)

The report was signed by Representative Ramras, Chair, with the following individual recommendations:

No recommendation (4): Coghill, Dahlstrom, Samuels, Ramras

Amend (1): Gruenberg

The following fiscal note(s) apply to CSHB 256(JUD):

2. Zero, Dept. of Fish & Game

HB 256 was referred to the Rules Committee for placement on the calendar.

HB 330

The Resources Committee considered:

HOUSE BILL NO. 330

"An Act relating to management of noxious weeds and invasive plants; establishing the Noxious Weed and Invasive Plant Board; and establishing the noxious weed and invasive plant management fund."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 330(RES)

"An Act relating to noxious weed, invasive plant and agricultural pest management and education; and providing for an effective date."

The report was signed by Representatives Gatto and Johnson, Co-chairs, with the following individual recommendations:

Do pass (8): Fairclough, Edgmon, Guttenberg, Roses, Wilson, Seaton, Gatto, Johnson

The following fiscal note(s) apply to CSHB 330(RES):

1. Zero, Dept. of Environmental Conservation
2. Zero, Dept. of Fish & Game
3. Zero, Dept. of Transportation & Public Facilities
4. Fiscal, Dept. of Natural Resources
5. Fiscal, Dept. of Natural Resources

HB 330 was referred to the Finance Committee.

HB 331

The Labor & Commerce Committee considered:

HOUSE BILL NO. 331

"An Act relating to mandatory motor vehicle insurance, license suspensions, mandatory impoundments of vehicles used in certain offenses, and notices relating to motor vehicles and driver's licenses."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 331(L&C)

"An Act relating to motor vehicle insurance, license suspensions, and notices relating to motor vehicles and notices relating to driver's licenses."

The report was signed by Representative Olson, Chair, with the following individual recommendations:

Do pass (1): Gardner

No recommendation (3): LeDoux, Ramras, Olson

Amend (3): Buch, Neuman, Gatto

The following fiscal note(s) apply to CSHB 331(L&C):

1. Zero, Dept. of Administration

HB 331 was referred to the Judiciary Committee

HB 359

The Judiciary Committee considered:

HOUSE BILL NO. 359

"An Act relating to probation and the offense of minor consuming or in possession or control of alcohol."

and recommends it be replaced with:

CS FOR HOUSE BILL NO. 359(JUD)

"An Act relating to termination of probation for certain persons convicted of minor consuming or in possession or control of alcohol or repeat minor consuming or in possession or control of alcohol."

The report was signed by Representative Ramras, Chair, with the following individual recommendations:

Do pass (2): Gruenberg, Ramras

No recommendation (3): Coghill, Dahlstrom, Samuels

The following fiscal note(s) apply to CSHB 359(JUD):

1. Zero, House Judiciary Committee

HB 359 was referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES**SB 125**

A letter dated February 20, 2008, was read stating the Conference Committee considering:

HOUSE CS FOR CS FOR SENATE BILL NO. 125(FIN)

"An Act relating to the accounting and payment of contributions under the retirement plans of the Public Employees' Retirement System of Alaska and the Teachers' Retirement System, to calculations of contributions under those retirement plans, and to participation in, and termination of and amendments to participation in, the defined benefit plans of those systems; relating to recovery of an award of damages or other recovery by those systems; relating to employer contributions to the health reimbursement arrangement plan; relating to participation in the public employees' defined contribution plan by certain elected officials; making conforming amendments; and providing for an effective date."

and

CS FOR SENATE BILL NO. 125(FIN)

"An Act relating to the accounting and payment of contributions under the retirement plans of the Public Employees' Retirement System of Alaska and the Teachers' Retirement System, to calculations of contributions under those retirement plans, and to participation in, and termination of and amendments to participation in, the defined benefit plans of those systems; relating to employer contributions to the health reimbursement arrangement plan; making conforming amendments; and providing for an effective date."

is unable to reach agreement on SB 125, and furthermore feels that an agreement cannot be reached even with limited powers of free conference. Therefore, the Conference Committee on SB 125 respectfully requests that this committee be discharged and a free conference committee appointed.

The letter was signed by Representatives Meyer (Chair), Samuels, Kerttula; and Senators Huggins, Bunde.

A facsimile page dated February 21 was attached with the signature of Senator Hoffman (Chair).

The Speaker discharged the House Conferees.

The Speaker appointed the following members to a Free Conference Committee to meet with a like committee from the Senate to consider the above bills:

Representative Chenault, Chair
Representative Hawker
Representative Crawford

The Chief Clerk notified the Senate.

**The presence of Representative Doogan was noted.

INTRODUCTION OF CITATIONS

The following citation was introduced and referred to the Rules Committee for placement on the calendar:

In Memoriam – Patricia Harpel

By Senator Bunde

CONSIDERATION OF THE DAILY CALENDAR**SECOND READING OF HOUSE BILLS****HB 268**

The following was read the second time:

HOUSE BILL NO. 268

"An Act relating to damaging a vehicle on public land by starting a fire or causing an explosion."

with the:

Journal Page

JUD RPT 1DP 4NR 1AM

1901

FN1: ZERO(ADM)

1902

FN2: ZERO(ADM)

1902

FN3: ZERO(LAW)

1902

Representative Samuels moved and asked unanimous consent that HB 268 be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

HB 268 was read the third time.

**The presence of Representative Gara was noted.

The question being: "Shall HB 268 pass the House?" The roll was taken with the following result:

HB 268

Third Reading

Final Passage

YEAS: 35 NAYS: 0 EXCUSED: 2 ABSENT: 3

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Edgmon, Foster

Absent: Chenault, Gruenberg, Joule

And so, HB 268 passed the House and was referred to the Chief Clerk for engrossment.

HB 285

The following was read the second time:

HOUSE BILL NO. 285

"An Act relating to an optional exemption from municipal property taxes for residences of widows and widowers of certain members of the armed forces of the United States; and providing that this Act may be known as the Sergeant Irving Hernandez, Jr., Act."

with the:

Journal Page

CRA RPT CS(CRA) NT 5DP	1865
FN1: ZERO(CED)	1866
CORRECTED CS(CRA) NT RECEIVED	1892
FIN RPT CS(CRA) NT 9DP 1NR	1981
FN1: ZERO(CED)	1982

Representative Samuels moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original bill:

CS FOR HOUSE BILL NO. 285(CRA)

"An Act relating to an optional exemption from municipal property taxes for residences of widows and widowers of certain members of the armed forces of the United States."

There being no objection, it was so ordered.

Representative Samuels moved and asked unanimous consent that CSHB 285(CRA) be considered engrossed, advanced to third reading, and placed on final passage. There being no objection, it was so ordered.

CSHB 285(CRA) was read the third time.

The question being: "Shall CSHB 285(CRA) pass the House?" The roll was taken with the following result:

CSHB 285(CRA)

Third Reading

Final Passage

YEAS: 36 NAYS: 0 EXCUSED: 2 ABSENT: 2

Yeas: Buch, Cissna, Coghill, Crawford, Dahlstrom, Doll, Doogan, Fairclough, Gara, Gardner, Gatto, Guttenberg, Harris, Hawker, Holmes, Johansen, Johnson, Joule, Kawasaki, Keller, Kelly, Kerttula, LeDoux, Lynn, Meyer, Nelson, Neuman, Olson, Ramras, Roses, Salmon, Samuels, Seaton, Stoltze, Thomas, Wilson

Excused: Edgmon, Foster

Absent: Chenault, Gruenberg

And so, CSHB 285(CRA) passed the House and was referred to the Chief Clerk for engrossment.

UNFINISHED BUSINESS

Representative Samuels moved and asked unanimous consent that the following member be excused from a call of the House. There being no objection, the member was excused as noted:

Representative Dahlstrom – from 11:30 a.m., today to morning plane time, February 25

CONCUR IN SENATE AMENDMENTS

HB 121

Representative Samuels moved and asked unanimous consent that the House consider the Senate message (page 2046) on the following:

CS FOR HOUSE BILL NO. 121(L&C) am

"An Act relating to release of information in individual workers' compensation records; and providing for an effective date."

and

SENATE CS FOR CS FOR HOUSE BILL NO. 121(FIN)
(same title)

Representative Samuels placed a call of the House.

The call was satisfied.

There being no objection to consideration of the Senate message, it was so ordered.

Representative Samuels moved that the House concur in the Senate amendment to CSHB 121(L&C) am, thus adopting SCS CSHB 121(FIN), and recommended that the members vote yes.

Representative Seaton moved and asked unanimous consent that he be allowed to abstain from voting because of a conflict of interest. Objection was heard, and Representative Seaton was required to vote.

The question being: "Shall the House concur in the Senate amendment to CSHB 121(L&C) am?" The roll was taken with the following result:

SCS CSHB 121(FIN)

Concur

YEAS: 20 NAYS: 18 EXCUSED: 2 ABSENT: 0

Yeas: Chenault, Coghill, Fairclough, Harris, Hawker, Johansen, Johnson, Joule, Keller, Kelly, Meyer, Neuman, Olson, Ramras, Roses, Samuels, Seaton, Stoltze, Thomas, Wilson

Nays: Buch, Cissna, Crawford, Dahlstrom, Doll, Doogan, Gara, Gardner, Gatto, Gruenberg, Guttenberg, Holmes, Kawasaki, Kerttula, LeDoux, Lynn, Nelson, Salmon

Excused: Edgmon, Foster

And so, the House failed to concur in the Senate amendment, thus failing to adopt SCS CSHB 121(FIN).

The Chief Clerk notified the Senate and respectfully requested it to recede.

UNFINISHED BUSINESS

HB 268

Representative Keller added his name as cosponsor to:

HOUSE BILL NO. 268

"An Act relating to damaging a vehicle on public land by starting a fire or causing an explosion."

HB 285

Representatives Thomas, Dahlstrom, Keller, Kerttula, Guttenberg, Johnson, Buch, LeDoux, and Roses added their names as cosponsors to:

CS FOR HOUSE BILL NO. 285(CRA)

"An Act relating to an optional exemption from municipal property taxes for residences of widows and widowers of certain members of the armed forces of the United States."

HB 395

Representative Johnson added his name as cosponsor to:

HOUSE BILL NO. 395

"An Act repealing the Estate Tax Law of Alaska."

HB 412

Representative Gara added his name as cosponsor to:

HOUSE BILL NO. 412

"An Act relating to the membership of the Alaska Legislative Council and the membership of the Legislative Budget and Audit Committee."

HB 412 was reprinted today. The sponsors are: Representatives Gruenberg, Buch, Cissna, Crawford, Doll, Doogan, Edgmon, Gara, Gardner, Guttenberg, Holmes, Kawasaki, Kerttula, Joule, Nelson, and Salmon.

SB 255

Representative Kerttula added her name as cross sponsor to:

SENATE BILL NO. 255

"An Act relating to refunding of certain outstanding bonds issued by the Alaska Industrial Development and Export Authority concerning the Snettisham hydroelectric project and related assets; and providing for an effective date."

ENGROSSMENT**HB 268**

HB 268 was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

HB 285

CSHB 285(CRA) was engrossed, signed by the Speaker and Chief Clerk and transmitted to the Senate for consideration.

ENROLLMENT**HB 37**

The following was enrolled, signed by the Speaker and Chief Clerk, President and Secretary of the Senate, and the engrossed and enrolled copies were transmitted to the Office of the Governor at 4:37 p.m., February 20, 2008:

HOUSE BILL NO. 37(efd add)

"An Act establishing the first Saturday of every March as Susan Butcher Day; and providing for an effective date."

ANNOUNCEMENTS

House committee schedules are published daily under separate cover.

The following meeting today was changed:

House Special Committee on Economic Development, Trade, & Tourism

CHANGED TO: upon adjournment

ADJOURNMENT

Representative Samuels moved and asked unanimous consent that the House adjourn until 11:00 a.m., February 25, 2008. There being no objection, the House adjourned at 11:37 a.m.

Suzi Lowell
Chief Clerk